



Chemetco - Response to General Notice Letter

Merrigan, Jessie

to:

Michelle Kerr, Thomas Martin

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From: "Merrigan, Jessie" <JMerrigan@LATHROPGAGE.COM>



To: Michelle Kerr/R5/USEPA/US@EPA, Thomas Martin/R5/USEPA/US@EPA

1 Attachment



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Good afternoon,

I am outside counsel for BFI Waste Services and responding on behalf of BFI to EPA's General Notice Letter regarding the Chemetco Superfund Site.

BFI is in receipt of EPA's Request for Information pursuant to CERCLA Section 104(e) and General Notice Letter related to the Chemetco Superfund Site. EPA has requested that the parties respond by today, January 17, 2012, regarding their intent to negotiate with EPA. Where appropriate, BFI is always willing to negotiate in good faith with EPA, state agencies and other PRPs with regard to sites at which BFI has liability.

However, while BFI has begun its investigation into its alleged liability at the site, we have not yet been able to identify information indicative of any liability on the part of BFI at the Chemetco site. Further, BFI has not yet been provided with the site and nexus information offered at the December 20th informational meeting. As such, BFI is not in a position to commit to negotiations regarding the Site at this time. We do remain willing to consider future negotiations should our continuing investigation indicate the basis for a change in our current position.

Thank you,
Jessie Merrigan